

REMARKS

Reconsideration is respectfully requested in view of the foregoing amendments and the following remarks.

Claims 14, 26, 28, and 29 have been amended. The amendments to these claims are supported in the as-filed specification.

Claim 14 has been amended by deleting the phrase "wherein the emulsion does not include a microemulsion". This amendment is deemed to overcome the §112, first paragraph rejection.

The insertion in claim 28 of the phrase "the pyrolysis liquid" is deemed to overcome the §112 rejection of that claim.

The amendment made to claim 26 to specifically recite "said non-ionic homopolymer surfactants" is deemed to overcome the rejection directed thereto.

The amendment of subparagraph (c) of claim 29 which includes "a" instead of "the" is deemed to overcome the §112 rejection.

Claims 14, 28, 30 and 31 stand rejected under §102(b) for anticipation over Hiroya, U.S. 4,309,191. This rejection is respectfully traversed.

As the Examiner acknowledges in the Office Action, the Hiroya document refers to a coal-oil mixture comprising coal dispersed in hydrocarbon oil and, therefore, it is not related to the claimed invention which recites water-in-oil or oil-in-water emulsions which do not contain coal.

This difference, which has been ignored by the Examiner, is of prime importance since Hiroya refers to a totally different problem which is unrelated with the present application and

provides a solution which is different from the solution claimed in the present application in such a manner that the present solution is not only new but also clearly inventive in respect of the quoted state of the art.

In fact, Hiroya refers to the problem of improving the use of coal as energy source in order to make it comparable to liquid fuel oil (see col. 1, lines 14–17). To solve such problem, Hiroya teaches particular mixtures of hydrocarbon oils, which improve the suspensions of pulverised coal and makes them suitable as substitutes for liquid fuel oils.

In other words, Hiroya et al. deals with suspensions (in Hiroya called also dispersions see col. 1, lines 20 - 21) which involve physically heterogeneous products (in Hiroya pulverised coal and hydrocarbon oils) while, the claimed invention is directed to emulsions of liquids, more particularly water-in-oil or oil-in water emulsions, and is intended to solve the problem of lack of ignition of oils obtained by pyrolysis of biomasses in view of their high water content.

It is not seen how the teaching of Hiroya et al could give any suggestion or hint to one of ordinary skill in the art to applicants' claimed solution to the problem of stabilising emulsions.

Accordingly, claims 14, 28, 30 and 31 distinguish over Hiroya and the §102(b) rejection has been overcome and should be withdrawn.

Claims 15-17, 20, 21, 23, 25, 28 and 32 stand rejected over the combination of Hiroya and Ikura, U.S. 5,820,640. This rejection is traversed.

The teaching of Ikura obviously adds nothing to the teaching of Hiroya which would help the man skilled in the art in performing the presently claimed subject matter in order to solve the above said problem. In this connection, please note that this document (and its drawbacks) was also widely discussed in the description (state of the art page 1, lines 23 – 30 and following


where the corresponding EP-893 488 is cited).

The §103(a) rejection has been overcome and should be withdrawn.

The issuance of a Notice of Allowance is respectfully solicited.

Please charge any fees which may be due to our Deposit Account No. 01-0035.

Respectfully submitted,


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